

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CHARLES BLUNT,

Petitioner,

Case Number: 08-14808
Honorable Mark A. Goldsmith

v.

MARY BERGHUIS,

Respondent.

_____ /

**ORDER DENYING PETITIONER’S MOTION FOR MANDAMUS (Dkt. 50)
AND MOTION FOR CERTIFICATE OF APPEALABILITY (Dkt. 53)**

Petitioner Charles Blunt has filed a motion for mandamus and a motion for certificate of appealability. The Court denies both motions as moot.

Petitioner’s mandamus motion, although filed in this Court, is clearly directed to the Sixth Circuit Court of Appeals. Indeed, Petitioner filed a motion for mandamus in the Court of Appeals shortly after he filed the instant motion. Both motions sought a ruling on a motion for relief from judgment then pending in this Court. This Court ruled on the motion for relief from judgment in April 2019, and the Sixth Circuit Court of Appeals denied the mandamus petition as moot. See In re: Charles Blunt, No. 19-1279 (6th Cir. Jan. 7, 2020). The Court will also deny the mandamus motion as moot.

Also before the Court is Petitioner’s motion for a certificate of appealability (COA). He seeks a certificate of appealability from the Court’s April 2019 order denying motion for relief from judgment. The Sixth Circuit Court of Appeals denied Petitioner’s motion for certificate of

appealability on the same claims raised in the pending motion. Because the Sixth Circuit already has held that Petitioner's claims are meritless, the motion will be denied as moot.

Accordingly, the Court denies Petitioner's motion for mandamus (Dkt. 50) and motion for certificate of appealability (Dkt. 53).

SO ORDERED

Dated: March 6, 2020
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on March 6, 2020.

s/Karri Sandusky
Case Manager